

FILED

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: 

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

OFELIA RODRIGUEZ, et al.,

Plaintiffs,

v.

UNITED STATES OF AMERICA,
FAUSTINO CAMPOS,

Defendants.

Case No. 06CV2753 W(JMA)

ORDER DISMISSING
STATE LAW CLAIM AGAINST
INDIVIDUAL FEDERAL AGENT UPON
SUBSTITUTION OF THE UNITED
STATES

The Court having been fully apprised that the Attorney General's designee has certified that the individual defendant Faustino Campos was acting within the scope of his federal employment at the time of the incident giving rise to this suit, and the Court having been apprised of the substitution of the United States pursuant to the Federal Employees Liability Reform and Tort Compensation Act of 1988 § 6, 28 U.S.C. § 2679(d)(2),

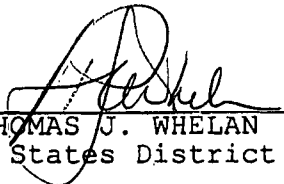
IT IS HEREBY ORDERED that pursuant to the provisions of 28 U.S.C. § 2679(b)(2) and § 2679(d)(2), the state law claim set forth in Claim VI of the complaint is dismissed with respect to the individual defendant Faustino Campos, on the grounds that the exclusive remedy,

1 if any, for such state law claim is against the United States and
2 because the United States has been substituted as the sole defendant
3 on that claim.

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5 DATED: 3/7/07

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HON. THOMAS J. WHELAN
United States District Judge

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